

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LAMBETH MAGNETIC STRUCTURES,
LLC,

Plaintiff,

v.

SEAGATE TECHNOLOGY (US)
HOLDINGS, INC., and SEAGATE
TECHNOLOGY LLC,

Defendants.

Misc. No. 1:17-mc-00148-GMS

(Civ. No. 16-cv-00538)

(Case Pending in W.D. Pa.)

**DECLARATION OF CLAYTON HAYNES IN SUPPORT OF THIRD PARTY
ACACIA RESEARCH CORPORATION'S RESPONSE TO
DEFENDANTS SEAGATE TECHNOLOGY (US) HOLDINGS, INC.'S AND
SEAGATE TECHNOLOGY LLC'S MOTION TO COMPEL THIRD PARTY
ACACIA RESEARCH CORPORATION'S COMPLIANCE WITH SUBPOENA**

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Attorneys for Third Party Acacia Research Corporation

I, Clayton Haynes, declare:

1. I have personal knowledge of the facts set forth in this declaration and, if called to testify as a witness thereto, I could and would competently do so.

2. I am the Chief Financial Officer of Acacia Research Corporation (“Acacia”). Acacia is a publicly traded corporation listed on the Nasdaq Exchange and based in Newport Beach, California. Acacia and its family of companies partner with inventors and other patent holders and license those inventors’ patented technologies to companies that are practicing the patents without the inventors’ consent.

3. From December 2010 to June 2013, Acacia or one of its wholly owned subsidiaries held all rights to license U.S. Patent No. 7,128,988 from Dr. David N. Lambeth. In June 2013, Acacia or one of its wholly-owned subsidiaries reverted all rights and benefits in the U.S. Patent No. 7,128,988 back to Dr. Lambeth.

4. I have reviewed and I am familiar with the Acacia agreements attached as Exhibits 8 through 12 to the Declaration of Theodore M. Budd In Support Of Defendants Seagate Technology (US) Holdings, Inc.’s and Seagate Technology LLC’s Motion to Compel Third Party Acacia Research Corporation’s Compliance With Subpoena. These agreements are between Acacia and various companies, in which Acacia licensed or covenanted not to sue in connection with certain patents owned or controlled by Acacia.

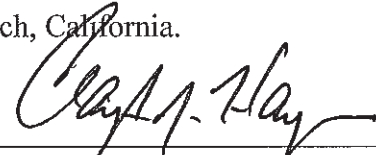
5. Each of these agreements contained commercial information that Acacia considers to be highly confidential and sensitive, including but not limited to lists of several patents and patent portfolios owned or controlled by Acacia. As such, Acacia actively seeks to protect these agreements and the information contained therein from public disclosure. For instance, Acacia requires that the counter-parties to the agreements execute related non-disclosure agreements. Indeed, the express confidentiality terms of the agreements themselves require that parties to the agreement reasonably notify the other counter-party before disclosing the terms of the agreement. Even when Acacia

does disclose the agreements, it limits such disclosure to attorneys' eyes only and, often times, outside counsel's eyes only.

6. The patents and patent portfolios expressly named in the Acacia agreements referred to in Paragraph 4 cover a wide variety of different technologies and inventions.

7. Each patent or patent portfolio expressly named in the Acacia agreements referred to in Paragraph 4 is different, and each was negotiated separately and independently of each other.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct and that this declaration was executed this 27th day of June, 2017, in Newport Beach, California.



Clayton Haynes